

ORDINANCE NO. 552 N.S.

An ordinance of the City of El Paso De Robles amending
Section 12.38.040 of the Municipal Code.

Relating to Truck Parking and Storage

The City Council of the City of El Paso De Robles,
California does ordain as follows:

Section 1: Section 12.38.040 is hereby amended as follows:

- A) By deleting current language in section 12.38.040 as follows:

"Parking commercial vehicles. No person shall park any commercial vehicle, trailer or trailer coach other than a passenger type automobile used predominantly for the purpose of transporting less than ten passengers or a pickup type truck with a unit mounted thereon that does not exceed a height greater than the driver's cab of such vehicle, longer than five hours upon any street or alley within the city (a) unless while loading or unloading property; and time, in addition to such five-hour period, as is necessary to complete such work; or (b) when such vehicle, trailer or trailer coach is parked in connection with and the aid of the performance of service to or on a property in the block in which such vehicle, trailer or trailer coach is parked, and the time beyond such five-hour period as is reasonably necessary to complete such service."

- B) By adding the following:

"PARKING COMMERCIAL VEHICLES and COMMERCIAL EQUIPMENT in
RESIDENTIAL, COMMERCIAL, and INDUSTRIAL ZONES

(a) Definitions.

- (1) **COMMERCIAL MOTOR VEHICLE.** A "Commercial Vehicle" is a vehicle of a type required to be registered under the State of California Vehicle Code used or maintained for the transportation of persons for hire, compensation or profit, or designed to be used or maintained primarily for the transportation of property.
- (2) **TRAILER.** A "Trailer" is a vehicle designed for carrying persons or property on its own structure and for being drawn by a motor vehicle whether or not part of its weight rests upon or is carried by any other vehicle. As used in this section, "trailer" shall not include a vehicle designed for human habitation or human occupancy.
- (3) **COMMERCIAL EQUIPMENT.** For the purposes of this section, the term "Commercial Equipment" shall include, but shall not be limited to, Backhoes, Tractors, Bucket Loaders, Air Compressors, Concrete Mixers, Road Rollers, Concrete Pumps, Pole and Pipe Dollies, and similar transportable equipment.
- (4) **RESIDENTIAL ZONE.** For the purpose of this section the term residential zone shall include

AAB257

all zones listed as R-1, R-2, R-3 and R-4 on the then current zoning map.

- (b) It shall be unlawful for any person to park or store any commercial motor vehicle having a manufacturers gross vehicle weight rating of ten thousand (10,000) pounds or more, or trailer or commercial equipment irrespective of weight, upon any public street or public or private property in the city within any residential zone; except
- (1) While performing a service requiring the loading or unloading of goods and/or property to premises in the block in which such commercial motor vehicle, trailer, and/or commercial equipment is parked until such work is completed; or
 - (2) When such commercial motor vehicle, trailer, and/or commercial equipment is parked in connection with, and in the aid of the performances of services to or on a property in the block in which such commercial motor vehicle, trailer, and/or commercial equipment is parked until such service is complete; or
 - (3) The commercial motor vehicle, trailer and/or commercial equipment is immobile due to accident or mechanical breakdown. In such case, said commercial vehicle, trailer and/or commercial equipment may be legally parked for a period not to exceed twenty four (24) hours.
- (c) It shall be unlawful for any person to park or store any commercial motor vehicle having a manufacturers gross vehicle weight rating of ten thousand (10,000) pounds or more, or trailer or commercial equipment irrespective of weight on any public street or on public or private property in the city within the following zones, to wit: CP Neighborhood Commercial Zone, C-1 General Commercial Zone, C-2 Highway Commercial Zone, between the hours of 2:00 A.M. and 6:00 A.M., or for more than four (4) hours between the hours of 6:00 A.M. and 2:00 A.M., except:
- (1) That the commercial motor vehicle, trailer and/or commercial equipment is immobile due to accident or mechanical breakdown. In such case, said commercial vehicle, trailer and/or commercial equipment may be legally parked for a period not to exceed twenty four (24) hours. or
 - (2) That the nature of the particular service to be performed or material or equipment to be delivered require a longer period of time to complete than the time limit described in this section; or
 - (3) That the commercial motor vehicle, trailer and/or commercial equipment is owned or operated by the commercial use on the private property upon which it is to be parked; or
 - (4) That such commercial motor vehicle, trailer and/or commercial equipment, if parked on

private property, shall be parked upon improved and designated parking areas. Such commercial vehicle parking areas may be approved by the Planning Commission pursuant to the provisions of Title 21 Chapter 23 of the Municipal Code (use permits, etc.). The use of such parking areas shall be limited to a period not to exceed four (4) hours or such lesser period of time the vehicle operator is utilizing the services provided by the business use of the premises; or

(5) That the commercial motor vehicle, trailer and/or commercial equipment operated and parked by a registered transient guest of a motel or hotel is parked within approved designated commercial vehicle parking areas upon the business premises. Such commercial parking areas may be approved by the Planning Commission pursuant to the provisions of Title 21 Chapter 23 of the Municipal Code (use permits, etc.).

(d) Whenever a commercial motor vehicle, trailer and/or commercial equipment is parked or left standing in violation of this section, such commercial motor vehicle, trailer and/or equipment may be removed and stored."

PASSED AND ADOPTED THIS 5th DAY OF April, 1988 by the following roll call vote:

AYES: Cousins, Ovitt, Dolan, Martin and Russell

NOES: None

ABSENT: None


MAYOR NICK RUSSELL

ATTEST:


JERRY BANKSTON, CITY CLERK